IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)Attorney Docket No. FIS920020101US1

Christopher Ausschnitt

Application No.: 10/596,614)Examiner: Not yet assigned
Filed: 06/19/2006)Group Art Unit: Not yet assigned

For: Differential Critical Dimension and
Overlay Metrology Apparatus and
Measurement Method)Date: September 19, 2006

The Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313

INFORMATION DISCLOSURE STATEMENT

Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56 and in accordance with the practice under 37 C.F.R. §§ 1.97 and 1.98, the Examiner's attention is directed to the documents listed on the enclosed Form PTO-1449.

FIS920020101US1

In accordance with 37 C.F.R. § 1.98(a)(2)(iii), copies of the listed US non-patent publications are enclosed.

The Commissioner is authorized to charge to Deposit Account No. 09-0458 the amount to cover the fee under 37 C.F.R. § 1.17(p). Any additional fees due or overpayments should also be charged or credited to Deposit Account No. 09-0458.

CONCLUSION

It is respectfully requested that the above information be considered by the Examiner and that a copy of the enclosed Form PTO-1449 be returned indicating that such information has been considered.

Applicants; undersigned agent may be reached by telephone at (845)894-6919. All correspondence should continue to be directed to the address listed below.

2

Respectfully submitted,

Todd M. C. Li Attorney for Applicants Registration No. 45.554

INTERNATIONAL BUSINESS MACHINES CORPORATION

Intellectual Property Law Department Bldg 321/Zip 482

2070 Route 52

Hopewell Junction, New York 12533 Facsimile: (845) 892-6363